

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KR CITRUS, INC.,

Plaintiff,

v.

DANDREA PRODUCE, INC.,

Defendant.

Case No. 1:21-cv-00811-NONE-SAB

ORDER REQUIRING PLAINTIFF TO FILE
STATUS REPORT

FIVE DAY DEADLINE

Plaintiff KR Citrus, Inc., filed this action against Defendant Dandrea Produce, Inc., on May 19, 2021. (ECF No. 1.) Defendant filed an answer to the complaint on August 19, 2021. (ECF No. 6.) On August 24, 2021, the Court granted the parties' stipulated request to grant Plaintiff leave to file an amended complaint; ordered such complaint to be filed within three (3) days; ordered a responsive pleading to be filed within thirty (30) days of the filing of the first amended complaint; and continued the scheduling conference until October 28, 2021. (ECF No. 9.) On August 25, 2021, Plaintiff filed a first amended complaint. (ECF No. 10.)

More than thirty (30) days have passed since the filing of the first amended complaint and no responsive pleading, no stipulation to extend the time for Defendant to respond to the complaint, and no request for entry of default has been filed. The Court finds that it does not serve the interest of judicial economy to hold the mandatory scheduling conference unless the Defendant has filed a responsive pleading and the parties are ready to proceed into scheduling.

1 Accordingly, IT IS HEREBY ORDERED that within **five (5) days** of the date of entry of
2 this order, Plaintiff shall either file a notice regarding the status of this action or a request for
3 entry of default.

4
5 IT IS SO ORDERED.

6 Dated: **October 4, 2021**


UNITED STATES MAGISTRATE JUDGE